



**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

UNITED STATES OF AMERICA

§

V.

§

CASE NO. 1:90-CR-69(1)

§

EDINSON VIVANCO TORRES

**MEMORANDUM ORDER ADOPTING
FINDINGS OF FACT AND RECOMMENDATION**

The Court referred this matter to United States Magistrate Judge Keith F. Giblin, at Beaumont, Texas, for consideration pursuant to 28 U.S.C. § 636(b) and the Local Rules for the United States District Court for the Eastern District of Texas. In accordance with 18 U.S.C. § 3401(i) and 18 U.S.C. § 3583(e), Judge Giblin held a hearing and submitted findings of fact and a recommendation on the revocation of Defendant's supervised release.

Having conducted the proceedings in the form and manner prescribed by Federal Rule of Criminal Procedure 11, the Magistrate Judge issued his *Findings of Fact and Recommendation on Plea of True* [Clerk's doc. #16]. The Magistrate Judge recommended that the Court revoke Defendant's supervised release. The parties have not filed objections to the Magistrate's recommendation. The Court is of the opinion that the *Findings of Fact and Recommendation* should be accepted.

It is **ORDERED** that the *Findings of Fact and Recommendation* [Clerk's doc. #16] of the United States Magistrate Judge are **ADOPTED**. Accordingly, the Court finds that Defendant, Edinson Vivanco Torres, violated conditions of his supervised release. The Court therefore revokes his term of supervision.

Pursuant to the Magistrate's recommendation, the Court **ORDERS** that Defendant serve a term of sixteen (16) months imprisonment, with no further supervision upon release. Mr. Torres should receive credit for time spent in federal custody on this revocation proceeding.

SIGNED this the 22nd day of August, 2005.


RICHARD A. SCHELL
UNITED STATES DISTRICT JUDGE